

1 didn't fulfill -- didn't really satisfy -- wasn't  
2 really satisfactory for all the activities and  
3 responsibilities I had at that time.

4 Q What was the staffing of the station?

5 A The staffing in the station working -- the  
6 years I've been there, it hasn't really changed very  
7 much. I guess as we've talked here, there's generally  
8 been a General Manager, generally, most times. There  
9 was myself. Maybe one other admin type person sitting  
10 in the front office. We've had several, but never  
11 more than one other person besides myself in the front  
12 office.

13 Then there's the announcing staff. The  
14 announcing staff when I got there consisted of two  
15 full time announcers and a few part time or as-needed  
16 announcers. And today the statio still consists of a  
17 General Manager and me and, you know, one or two other  
18 people plus a couple of -- and there's two still, two  
19 full time announcers at the station.

20 The station's run very -- pretty much as  
21 radio stations go, it's about -- a fairly small  
22 station. And we do quite a bit with, you know, keeping  
23 the radio station on the air seven days a week 24  
24 hours a day with such a small staff.

25 Q So the announcers are on air people?

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1           A       The announcers are responsible for making  
2 announcements and making sure the programs actually  
3 start and make the announcements between the program,  
4 monitor -- monitor the equipment during their shift.  
5 So basically you'd have one announcer on at a time.

6           Q       Do they have anything to do with sort of  
7 the administrative operations of the station?

8           A       Generally they don't have -- at our  
9 station they don't have any -- much to do with  
10 administration of the station. They pretty much do  
11 their shift back in the studio. They come in, and we  
12 let them out of the room once in a while, but they  
13 basically do their shift in the back -- back in the  
14 studio. So they would pretty much -- everything they  
15 need to do is done in front of a microphone and some  
16 recording equipment or playback equipment.

17          Q       So how many people are actually sort of  
18 administering the operations of the station?

19          A       Administering the operations -- including  
20 the announcers? Or you mean not --

21          Q       What I'm saying is if the announcers  
22 aren't involved in that, then how many people are?

23          A       Oh, well let's say, you'd have like  
24 perhaps the -- you know, you could look from the KALW  
25 Program Guides to see this. It was the General

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1 Manager, generally myself, a chief engineer and then  
2 maybe another administrative person. So we're looking  
3 at just a handful, a very small handful of people who  
4 were involved in trying to keep this place going.

5 Q And what was your understanding of what  
6 the General Manager's job is?

7 A The General Manager certainly was overall  
8 responsible for all activities at the station. They  
9 were the manager -- he or she was the manager of  
10 everyone, myself included. They managed -- managed the  
11 entire staff, such as it was. And so they were the  
12 manager of overseeing whoever else, the activities of  
13 everyone else who was there.

14 I took that they were in charge of making  
15 programming decisions as far as what programs we were  
16 going to run overall, what the schedule of programming  
17 would be. If there was a change to be made, the  
18 General Manager I always took as part of their --  
19 understood it that that was always part of their job.

20 They also would be involved in any kind of  
21 major overseeing fundraising overall activities and  
22 whatever strategies we were going to use as far as our  
23 fundraising.

24 Being responsible for doing any hiring  
25 that we were going to be doing at the station. That

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1 was always I saw the prerogative of the General  
2 Manager.

3 Being involved with the whole legal -- the  
4 legal responsibility of the station, whatever and  
5 whatever that required.

6 So those are the kind of overall duties  
7 that I saw the General Manager took on.

8 Q Did you ever aspire or do you ever aspire  
9 to be General Manager of KALW?

10 A I found that over time I have never  
11 actually ever wanted to be the General Manager of the  
12 station. I very much enjoy the job I do now and the  
13 tasks, the day-to-day basic running of the stations,  
14 the operation side of it has been of interest to me.  
15 And I don't -- I've never really been an on-air radio  
16 person. I've never -- I probably could count on one  
17 hand all the times I've ever been in front of a  
18 microphone at KALW even. So it's not something that  
19 I would aspire to.

20 Q Okay. But you have testified that there  
21 were a couple of times during the course of the years  
22 where we've been talking about for the last two days  
23 where you did stand in for the General Manager, right?

24 A There were a couple of times, again, in  
25 early 1998 when Jeff Ramirez left and then in late

1 2000 when Michael Johnson left as General Manager that  
2 I was asked by the School District officials who  
3 oversaw the radio station at the time, since they --  
4 basically I was the only other person they considered  
5 of the management team of the station to stand in for  
6 -- and just make sure the place running while they did  
7 whatever they were going to do to find a new General  
8 Manager. And so I said I would do it. And I saw that  
9 pretty much as just keep doing what I was doing. And  
10 that's -- that's pretty much what I did during those  
11 periods of time. I didn't really see that I was going  
12 to take on the responsibilities of General Manager. I  
13 was going to -- whatever responsibilities were there,  
14 the new General Manager would take them on when he or  
15 she was hired.

16 Q When you served as a stand in for a  
17 General Manager, did the station get additional  
18 administrative help to fill the vacancy?

19 A At that time nobody else was hired b the  
20 District to help me out and they never considered --  
21 unless I had asked them to, perhaps they would have.  
22 But at that point they didn't hire anybody to bring in  
23 during those periods of time. So it was just me --  
24 pretty much just me. So I was stretched just as thin  
25 as I was -- but the station staff was stretched just

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1 as thin as it was when -- before we had a General  
2 Manager -- when we did have the General Manager.

3 Q So what additional tasks did you take on  
4 when you standing in for the General Manager that you  
5 understood?

6 A As I understood, they didn't -- the School  
7 District, nobody at the School District in those  
8 periods of time asked me to do anything, but just in  
9 case anything came up that they felt they needed to be  
10 -- that if anything came up, I would be there. I would  
11 be the person who could do it in case something did  
12 come up. But as far as just doing the day-to-day work,  
13 pretty much my day-to-day work, as I recall, was about  
14 the same.

15 I didn't go off and make programming  
16 changes because all of a sudden I was standing in for  
17 the General Manager. And I wasn't -- didn't run and do  
18 a lot of hiring just because I was the stand in for  
19 the General Manager and had that opportunity.

20 I don't recall even moving my desk into  
21 the General Manager's private office even. I pretty  
22 much just stayed where I was out there -- out there in  
23 the front office -- in the open office where I had my  
24 desk even when there was a General Manager.

25 Q And how did you know if there was

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1 something you were supposed to be doing in your role  
2 as a stand in General Manager that was different from  
3 what you had been doing all along as an Operations  
4 Manager?

5 A Pretty much I didn't know of anything --  
6 of anything that I was supposed to be doing. If  
7 something had been brought to y attention by -- by  
8 someone and said something needed to be done, I  
9 probably would have taken that on and taken -- done it  
10 at the time. And both periods -- both periods when I  
11 took -- I became stand in for Jeff Ramirez and then  
12 for Michael Johnson, I don't recall even -- either of  
13 them having any conversations with me about "Okay now,  
14 Bill, when I'm gone, this is what you've got to do."  
15 There was never any -- that I can recall, any  
16 conversations about -- from either of them handing off  
17 responsibilities to me that needed to get done while--  
18 once they were gone.

19 Q Do you remember Ernie Sanchez or Susan  
20 Jenkins telling you of something that needed to be  
21 done during the times you were serving as stand in for  
22 the General Manager?

23 A No. The only -- during that time in '98 I  
24 don't recall them either making -- calling me or  
25 communicating with me in anyway regarding anything I

1 was supposed to be doing or -- and if they had,  
2 certainly I would have. I don't recall requests,  
3 specific requests from them for any particular action.

4 In period late 2000 and early 2001 when I  
5 started in late 2000 there was the stand in again  
6 after Mr. Johnson, I don't recall that I even had any  
7 communication with them until in February of 2001 when  
8 they received their Letter of Inquiry from the FCC.  
9 And when that came in, and they sent me a faxed copy  
10 of that and I read that, I got on the phone to them to  
11 Ernie and to Susan. And the letter, and I said  
12 basically to them "All right, what do you need me to  
13 do? You're the experts here. What action needs to be  
14 taken?" And so they told -- we -- we talked about it.  
15 And I took it from them that they knew -- since they  
16 were the legal experts and knew what to do, when they  
17 asked me to do something, I did it. I followed their  
18 -- I followed their lead on it. And other than that,  
19 that was the -- that was the extent of -- during that  
20 period of time until Nicole Sawaya came on, that was  
21 my -- and then she, of course, came on as General  
22 Manager. That I recall being -- being involved with  
23 Ernie Sanchez as far as being the stand in GM.

24 Q Okay. Do you recall the 1998 declaration  
25 that you have testified about probably two days ago



1 now?

2 A Was it two now?

3 Q Yes.

4 A Yes.

5 Q Do you remember the 1998 declaration'?

6 A The January '98 declaration? Yes.

7 Q Yes.

8 A I remember that.

9 Q Let's see how much of this we can do  
10 without actually going through the document again.

11 A Okay.

12 Q What did you understand the purpose of  
13 that declaration to be?

14 A They explained -- I -- as I understood it,  
15 the declaration was to establish the fact that I --  
16 that my private -- that my private files at KALW had  
17 contained documents and that those documents were used  
18 by GGPR as part of their challenge to deny KALW's  
19 license renewal.

20 Q And who prepared your 1997 declaration?

21 A Ernie Sanchez and I assume his associate,  
22 Susan Jenkins prepared that document.

23 Q And who told you what was going to be in  
24 the declaration, if anyone?

25 A I -- I don't recall at this point who told

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1 me. I would imagine it just was -- it was at some  
2 point prepared and sent to the station and I reviewed  
3 it. And out of conversations, perhaps I had had  
4 conversations with -- with Ernie Sanchez and Susan  
5 before that. And there -- the thrust of their -- of  
6 their pleading of their document that they were  
7 responding with was that documents and emails from  
8 KALW's files and computers had been used to -- to --  
9 as part of the GGPRs challenge. And he was -- he was  
10 objecting to that.

11 Q Okay. I'm going to ask you to take a look  
12 at the declaration in a minute.

13 MR. DUNCAN: Sorry, Your Honor. I'll be  
14 on this in a second.

15 JUDGE SIPPEL: Okay. We can go off the  
16 record.

17 (Whereupon, at 1:33 p.m. off the record  
18 until 11:33 p.m.)

19 BY MR. DUNCAN:

20 Q I'm going to ask you to take a look once  
21 again at your 1998 declaration, which is at SFUSD  
22 Exhibit 4 page 74 and 75. And I wonder if you could  
23 look at the paragraphs of that declaration that we did  
24 not -- that Mr. Shook did not take you through. I  
25 believe that's paragraphs 5, 6, 7 and 8.

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1           A       One moment. I just want to review it for  
2           *a moment. Just to make sure I know which ones you're*  
3           talking about.

4           Q       Okay.

5           A       Okay.

6           Q       Do any of those paragraphs 5, 6, 7 or 8 of  
7           your declaration refer to the public inspection file?

8           A       No. These -- this -- these paragraphs all  
9           refer to files contained in the private files of my --  
10          of the file cabinet that sat in the office of the  
11          station. And I believe that -- did we refer also to  
12          paragraph 8? I mean, was that one that you were also  
13          aware of? Is that the one that refers to the -- in  
14          paragraph 8 that refers to the computers of the radio  
15          station.

16          Q       Okay.

17          A       So it doesn't refer to the -- those  
18          particular paragraphs don't refer to the public file  
19          documents.

20          Q       And do the content of those paragraphs  
21          match your understanding of what the purpose of your  
22          giving this declaration was?

23          A       Yes, it does. It refers to the fact that  
24          these were documents were in my private files at the  
25          station and that they were used without my knowing as

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1 part of Golden Gate Public Radio's challenge to the  
2 license. And it lists -- I state that various people  
3 on there did not -- I did not give any of those people  
4 who were listed there permission to look in or access  
5 documents in those private files.

6 Q Okay. And now let me ask you to look at  
7 paragraph 4, which is the paragraph you'll remember  
8 because you and Mr. Shook spent a fair amount of time  
9 on it. Do you remember that paragraph?

10 A Yes, I do.

11 Q Do you remember the discussions you've had  
12 over the last couple of days about that paragraph?

13 A I recall those discussions about this  
14 paragraph -- about that paragraph, yes.

15 Q Okay. This says that you had assisted --  
16 were aware of and had assisted with an ongoing effort  
17 since the arrival of Jeff Ramirez as General Manager  
18 to update and maintain the public inspection file.  
19 And I'm curious to what you meant by "since the  
20 arrival of Jeff Ramirez as General Manager."

21 A Well I was just -- what I was trying to do  
22 there is just kind of place in time since he arrived,  
23 obviously not before, I wasn't making any assertion in  
24 that -- the way this was written I'm not making any  
25 assertion about before he arrived, but since he

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1 arrived that he had bee -- that I was aware of his --  
2 his actions and his concern regarding the public file.  
3 And if he was doing work, I was aware of his doing  
4 work regarding the public file at KALW.

5 Q And do you have recollection of when you  
6 recall his work on the public file starting?

7 A I don't recall exactly when I remember it  
8 starting. I didn't -- I didn't in anyway want to imply  
9 that it was, say, in day one he walked in the office  
10 and started. But since -- since he had arrived he had  
11 -- he had worked on it. And I was aware that he had  
12 worked on it in the time since he had arrived. And so  
13 that's what -- that -- that was the implication of  
14 that statement.

15 Q Mr. Shook also drew your attention to, I  
16 guess it's the end of that sentence which says that  
17 you were aware of and assisted in this effort of  
18 Jeff's to update and maintain the PIF in accordance  
19 with the rules of the Federal Communications  
20 Commission. Do you remember those discussions?

21 A I do recall that, yes.

22 Q What did you mean by that, the reference  
23 to the Federal Communications Commission rules?

24 A Well, I'm not sure what the Federal  
25 Communications Commission -- at that time when I wrote

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1 this, when I signed this declaration and it was  
2 presented to me, I wasn't sure what the Federal  
3 Communications Commission rules were regarding the  
4 public file. I assumed that Jeff did and the work he  
5 was doing was being done to comply with those rules.  
6 As General Manager I assumed he knew what those rules  
7 were. And I had no reason not to be -- to not believe  
8 that. And if in the course of being -- sometime in  
9 the course of his dealing with the public file he  
10 requested some assistance from me, I would have  
11 offered -- I would have given it to him, and did give  
12 it to him, as I can recall, in the period of time  
13 before I signed this declaration.

14 JUDGE SIPPEL: That was January of 1998?

15 THE WITNESS: January -- mid-January '98.  
16 I think the date on that --

17 JUDGE SIPPEL: January 16.

18 THE WITNESS: January 16th.

19 BY MR. DUNCAN:

20 Q And who was the station's authority on FCC  
21 compliance issues in your mind?

22 A In my mind the authority about it would be  
23 Ernie Sanchez, our attorney who was the attorney for  
24 the -- we always referred to as our FCC attorney,  
25 although he's -- and he was -- he was the authority as

1 far as I knew regarding anything about FCC legal  
2 matters.

3 Q Do you remember -- and for the record they  
4 are EB Exhibit 11 and EB Exhibit 12. They are a March  
5 '98 faxed cover sheets to you from Ernie Sanchez. One  
6 of them says "Attached is the NAB memo." And the  
7 other says "Attached is the model program list I  
8 promised to send you." Remember the discussions you  
9 had about those documents?

10 A I remember those cover sheets and there  
11 was some question about what made up actually those  
12 faxes.

13 Q Right. Do you know why Ernie Sanchez sent  
14 these to you?

15 A Well -- and by March -- the only thing I  
16 can -- the only reason I'm assuming he sent them to me  
17 was that in March '98 Jeff Ramirez had left the  
18 station. And the School District hadn't gotten around  
19 -- hadn't at that point appointed a new General  
20 Manager. So I believe in Ernie's -- in Ernie's sense  
21 I was the only person there who he could address a fax  
22 to regarding any matters that he wanted brought to the  
23 attention of anybody at KALW.

24 I got them both. There wasn't any request  
25 assigned to them. So at that point, to the best of my

1 recollection, I would have looked at them and decided  
2 *this is something obviously when the new General*  
3 Manager comes on in the near future, I was assuming,  
4 this would be something that they would --they would  
5 find interesting, would find useful.

6 Q Did Ernie or anyone from the Sanchez firm  
7 tell you that there was anything that you were  
8 supposed to do in connection with either of those  
9 documents?

10 A I don't recall ever getting any  
11 communication from Ernie or anyone at the Sanchez law  
12 firm in relationship to these documents saying that I  
13 should be doing something at that point. Again, I just  
14 assumed this is something that is going to be useful  
15 information and certainly the General Manager when he  
16 or she was appointed would -- would probably find this  
17 of use.

18 Q Jumping to a new topic. Remember the  
19 discussion that was had between you and Mr. Shook your  
20 knowing in advance of Michael Johnson's departure that  
21 the School District was looking for a new General  
22 Manager? Do you remember that discussion?

23 A I -- I think we had that yesterday.

24 Q (Laughter).

25 Q We have it day.

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1 A Don't need to place it.

2 Q Okay.

3 A I remember that.

4 Q There was some mystery about why you would  
5 have known that Michael Johnson was leaving and/or  
6 that the School District was looking for someone new  
7 during that phase. Can you explain that to the Court?

8 A Certainly. As I recall -- at that period  
9 of time Michael Johnson was hired at -- by the San  
10 Francisco Unified School District as General Manager  
11 as a contractor rather than as an employee. His  
12 contract -- they were -- and they were much more  
13 comfortable having -- the School District seems to  
14 want to have divisions, departments of the School  
15 District managed by employees, not contractors. And  
16 so their plan all along was to regularize that  
17 position back into an employee position. And so they  
18 gave Mr. Johnson a -- they knew they were about to  
19 this and doing whatever paperwork needed to be done,  
20 but -- and so they offered him a three -- they gave  
21 him a three month contract that was going to from, I  
22 believe, the start of that fiscal year July 1 and  
23 would end on September 30th.

24 So during that period of time I became  
25 aware that the School District was going to get ready

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1 to start looking for candidates for the employee type  
2 General Manager position that they wanted to  
3 regularize. So that's what -- why I knew that Mr.  
4 Johnson's contract was coming to an end. I knew it had  
5 that end date of September 30th and the School  
6 District was going to be looking to put the word out  
7 to see if they could -- who would be the new General  
8 Manager.

9 Q Thank you.

10 And we jump all the way up to the time  
11 when you received the Letter of Inquiry from Ernie.  
12 As I understand it, that came to you from the Sanchez  
13 firm, is that right?

14 A That's right. It seems to -- the letter is  
15 addressed to Ernie Sanchez. And it was then -- a copy  
16 was then faxed to me.

17 Q Okay. And you've testified, you told Mr.  
18 Shook and then I think you told us again ten minutes  
19 ago that you -- the first thing you did was call the  
20 Sanchez firm when you got that. Why did you do that?

21 A I called the Sanchez firm because, first  
22 of all, as I stated a couple of questions ago I  
23 considered Ernie Sanchez to be our expert on matters--  
24 all matters regarding the -- regarding FCC and legal  
25 compliance at the station. And since I know that he'd

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1        been working on the matters regarding the legal  
2        license challenge since '97 and had been our legal  
3        authority since before then, I called him and said,  
4        all right. And my -- I just basically had a very  
5        general -- when I talked -- had the phone  
6        conversation, just very generally, you know. "All  
7        right. What do we do, Ernie?" You know, the -- you  
8        know, the implication was you're -- you're the --  
9        you're the expert here. Tell me what to do.

10            Q        And did you have any prior experience with  
11        responding to a letter like that from the government?

12            A        In the time I'd been at KALW when  
13        responses had been -- had to be made to the FCC  
14        regarding, you know, the legal -- the license renewal  
15        and responses to GGPR, those were always handled -- or  
16        the point person at the station had been the General  
17        Manager at the time. So this was the first time that  
18        I was effectively -- because there was no one else at  
19        the station, I effectively de facto became the point  
20        person at the station to deal with it, with -- with  
21        our attorneys and interact with the attorneys.

22            Q        And who took charge of responding to the  
23        Letter of Inquiry after you called the attorneys?

24            A        Ernie Sanchez and his associate Susan  
25        Jenkins, that's -- were taking charge of -- they knew

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1 that they were -- that they had to respond to this  
2 letter. And so they took charge of -- of actually  
3 being responsible for drafting the letter, making --  
4 making sure of the answers and whatever documents  
5 needed to be filed, they would tell me what -- what --  
6 they knew what needed to be filed and they wanted  
7 filed. And I just asked them, you know, what -- what  
8 can I do my end here in San Francisco. And that was my  
9 attitude at that time in February of '01 after getting  
10 -- after getting the letter.

11 I never recall sitting with them saying  
12 okay, what's the answer to number 1, what's the answer  
13 to number 2.

14 Q Thank you.

15 Do you remember the discussion about a  
16 March 8th memo that Nicole Sawaya apparently wrote to  
17 Ernie Sanchez? Do you remember that discussion?

18 A Yes. I'd like to look at the memo if  
19 we're going to talk about it, just to give for a  
20 moment to -- if we're going to talk about it.

21 Q Okay. That document is at EB Exhibit 21.

22 A Just.

23 Q I will get you a copy.

24 When did you first see that document?

25 A I recall that in preparation for the

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1 hearing I've seen it, and that's just recently. I  
2 don't recall if I saw it anytime in March of 2001,  
3 though, when -- about the time it was prepared.

4 Q Were you involved in drafting this  
5 document?

6 A I don't have any recollection of drafting  
7 this document with Nicole, no.

8 Q Do you remember getting a copy of it,  
9 other than when it was shown to you by your attorneys  
10 in preparation for this hearing?

11 A I don't recall ever getting my own copy of  
12 this document at that time, other than, as you say,  
13 preparing for this hearing.

14 Q During this time frame were you involved,  
15 did you know what Nicole was doing relating to the  
16 LOI?

17 A I knew that Ernie was, you know, being  
18 responsible for preparing whatever response was going  
19 to be made. And while I assumed that he was working  
20 with Nicole, I wasn't -- I didn't know the details of  
21 what -- what she was involved in. I knew what I was  
22 doing, but I -- and regarding the things that are in,  
23 I'd talked with Ernie about, but not what she was  
24 involved in.

25 Q I think Mr. Shook took you through this

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1 document and asked you particularly with respect to  
2 paragraph 2 of whether Ms. Sawaya had this factual  
3 knowledge about the history of the earthquake and the  
4 office move, etcetera. And I think you indicated that  
5 she wouldn't, as far as you knew, have firsthand  
6 knowledge of that. Is that correct?

7 A I couldn't see how she would have  
8 firsthand knowledge since she wasn't at the radio  
9 station in the period of the earthquake and post-  
10 earthquake. She wasn't at the station at that time.  
11 So I assume that that wasn't firsthand knowledge.

12 Q Okay. But she didn't ask you to review --  
13 did she ask you to review this document before she  
14 sent it off to Ernie Sanchez?

15 A I don't recall at anytime she asked me to  
16 review this document in any way before it was sent to  
17 Ernie Sanchez at all. I don't have that recollection.

18 Q Do you know enough about what Nicole was  
19 doing to know why she prepared this memo which  
20 included some factual information that she didn't  
21 probably have firsthand knowledge of --

22 A Yes.

23 Q -- and sent it off to Ernie? Do you know?

24 A You know -- you know, I really -- I don't  
25 know. No. I would have assumed that if she -- she did

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1 it, perhaps only it was a request from Ernie regarding  
2 it, perhaps. But that would be the extent of my  
3 knowledge.

4 Q Do you recall looking with Mr. Shook at  
5 one page of handwritten notes from a telephone  
6 conversation that apparently you had with Susan  
7 Jenkins on or about the end of March of 2001?

8 A I remember we talked about it in the last  
9 couple of days.

10 Q Okay. That document was and is SFUSD  
11 Exhibit 14. And I'm going to hand you a copy of that  
12 document and ask you to take a minute and look at it.

13 A Okay.

14 JUDGE SIPPEL: That's the same as Bureau  
15 Exhibit 25, is that right?

16 MR. DUNCAN: I don't know. The  
17 identification on it is what Mr. Shook used, because  
18 that's when I wrote it down. But SFUSD 14 is what I  
19 have.

20 MS. LEAVITT: Yes. Yes, Your Honor.

21 JUDGE SIPPEL: These are the same. Okay.

22 THE WITNESS: Okay. I think I'll try to  
23 answer a question.

24 MR. DUNCAN: (Laughter.) Okay. Okay.

25 BY MR. DUNCAN:

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1 Q Well, the first one's easy. I'm correct  
2 that that's not your handwriting, is that right?

3 A No, this was not my handwriting.

4 Q Okay. And so to the extent that you were  
5 being asked questions about those notes, those notes  
6 were at best helping you remember things? Those were  
7 not your notes, you did not see her take those, is  
8 that right?

9 A No, I was never -- I didn't see her take--  
10 I didn't see her take these notes.

11 Q Okay. At one point when you were  
12 testifying before about this, you started to explain  
13 what you thought these notes might have been; do you  
14 recall that?

15 A I was trying to help speculate what they  
16 might have been since I don't -- I'm not sure about --  
17 you know, exactly how they came to be.

18 Q Well, since we've spent a lot of time  
19 talking about them, can you tell us what your guess is  
20 as to what these might have been?

21 A My guess would be that since these were  
22 presented to me as being notes from Susan Jenkins and  
23 regarding a phone -- notes taken sometime around a  
24 phone conversation, as best as I can see they referred  
25 to, perhaps, some notes she had taken and was putting

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1 down items here about the things she wanted to remind  
2 herself to ask me. And then it looks kind of like  
3 other notes are put in the column based on perhaps  
4 what I said in the top off. It mentions something  
5 about the Commission has now something, and I can't  
6 read the handwriting very well. I can't -- I'm not  
7 sure exactly what it might say here. I think it  
8 doesn't -- I think that's -- and I'm not that good at  
9 the handwriting, perhaps.

10 I can't --

11 Q The fifth line "The Commission has now  
12 abolished this requirement" something.

13 A Yes. I think that would be something more  
14 along the lines she would be given in her role as an  
15 attorney something she would have explained to me  
16 rather than I would have told her. So that's why I'm  
17 thinking these might have been some kind of notes of  
18 her's that -- of information that she wanted to pass  
19 on to me or cover -- items she wanted to cover with me  
20 in a conversation -- in a telephone conversation.

21 Q Okay. And can you look at the bottom of  
22 it? That's the top of the page.

23 A Yes.

24 Q And then at the bottom of the page it  
25 looks like -- well, can you tell me about the bottom

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